

306A Guidance for Virginia Coastal Zone Management Program Grantees

306A Clearance requires the completion of the following steps by the grantee:

- STEP 1: Submit a Scope of Work to the Virginia Coastal Zone Management Program and wait for approval.
- STEP 2: Submit a State Historic Preservation Officer Clearance Request to the Virginia Department of Historic Resources.
- STEP 3: Secure legal paperwork, depending on the project type, complete either (a) or (b) :
- a. *If your project is a construction project:* A title opinion, certificate, or affidavit showing that the property for the proposed project is publicly owned or leased in perpetuity or for the expected life of the project (at least 20 years). A deed is not sufficient to document public ownership.
 - b. *If you are purchasing an interest in land:* A title opinion and an independent appraisal conducted to federal standards.
- STEP 4: Submit the completed 306A Checklist to the Virginia Coastal Zone Management Program (including a site location map, see page 3).
- STEP 5: Submit all other required local, state and/or federal permits required for the project.

General Section 306A Guidance is available on NOAA's website:

<https://coast.noaa.gov/czm/media/guide306a.pdf>

STEP 1. Scope of Work Approval by the VA CZM:

A Scope of Work summarizing details of the project and budget should be submitted and approved by the VA CZM Project Manger. The proposal template and guidance for completing the form is available on the VA CZM website:

<http://www.deq.virginia.gov/Programs/CoastalZoneManagement/GranteeGuidanceInformation.aspx>

Once the Scope of Work has been approved by the VA CZM, the grantees should proceed with STEP 2.

If your project contains signage please include the three following items on your sign(s):

1. Identification of the project
2. NOAA logo and VA CZM logo
3. States that the "Project is funded by NOAA's National Coastal Zone Management Program."

STEP 2: SHPO Clearance Letter

Prior to completion of STEP 4, the grantee must request a Department of Historic Resources review of the project. To obtain the State Historic Preservation Officer's Clearance in accordance with the National Historic Preservation Act, submit the following items to DHR: (1) a project description including a vicinity map, (2) the outcome (including copies of maps) of a search through Department of Historic Resources library archives for cultural resources located within the vicinity of the proposed 306A project and (3) site plans if applicable. For more information see the VDHR website:

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Archival Research

http://www.dhr.virginia.gov/archives/archiv_info.htm

Environmental Review

http://www.dhr.virginia.gov/review/orc_home.html

Forms

http://www.dhr.virginia.gov/archives/Archives_Search_document_2012_August_3_Final.pdf

<http://www.dhr.virginia.gov/review/ProjectReviewForm.pdf>

You may also contact:

Quatro Hubbard, Archivist

Phone: (804) 482-6102

STEP 3: Secure legal paperwork

306A projects can be either construction projects or land acquisition projects, depending on which type of project the grantee is undertaking one of the following sets of documentation will need to be obtained by the grantee and provided to the Coastal Zone Management Program as a part of STEP 4.

- a. *If your project is a construction project:* Construction projects using CZMA funding, must occur on publicly owned lands, or lands with a legal public interest (e.g. easement or natural area dedication). Legal paperwork documenting this public interest is required for all 306 construction projects and will be reviewed by Legal Counsel at NOAA. The grantee must obtain and submit to the VA CZM two copies of a title opinion, certificate, or affidavit showing that the property for the proposed project is publicly owned or leased in perpetuity or for the expected life of the project (at least 20 years). A deed is not sufficient to document public ownership.
- b. *If you are purchasing an interest in land:* Two copies of title opinion and an independent appraisal conducted to federal standards.

Sample Title Certifications and Title Opinions can be downloaded from NOAA's Web site –

<https://coast.noaa.gov/czm/media/titleopinion306a.pdf>

Federal appraisal standards can be downloaded at:

<http://www.justice.gov/sites/default/files/enrd/legacy/2010/11/16/Uniform-Appraisal-Standards.pdf>

STEP 4: 306A Checklist Completion and Submission to the Coastal Zone Management Program

The 306A checklist is available on NOAA's website:

<https://coast.noaa.gov/czm/media/checklist306a.pdf>

Because 306A projects are federally funded actions, NOAA is subject to the requirements of the National Environmental Policy Act (NEPA) for these projects. Completion of the 306A checklist on each 306A project meets these NEPA requirements.

The grantee should complete this checklist in consultation with your VA CZM project manager. This checklist asks the grantee to determine potential environmental, cultural and social impacts

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of the project. In order to accurately answer the questions, the grantee should consult with the appropriate state agencies to determine whether the project will have an impact.

Once completed, send an electronic copy of the checklist and the following documentation to your Virginia CZM project manager:

- a. A site location map. You can create this map through Coastal GEMS at <http://www.coastalgems.org/>.
- b. A copy of the SHPO Clearance Letter (or Clearance request letter)
- c. A title opinion, certificate, or affidavit as applicable (see STEP 3 for more information)
- d. An independent appraisal, if applicable (see STEP 3 for more information)
- e. Virginia Natural Heritage Program environmental review response letter for clearance of threatened and endangered species impacts
(<http://www.dcr.virginia.gov/natural-heritage/infoservices#er>)

DO NOT SIGN THE CHECKLIST

The Coastal Zone Management Program Manager will review, sign and submit this checklist to NOAA for approval.

STEP 5: Receipt of Other Relevant Permits:

Some projects will require additional local, state or federal permits. The grantee is responsible for identifying which permits are required and applying for the permits. The 306A checklist asks that the grantee list which permits will be required but the checklist can be completed and submitted before the permits have been issued. Permits must be issued and on file with the Coastal Zone Management Program before any construction can begin on site.